IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929

WP(C).No. 9090 of 2007(F)

AGAINST THE ORDER DATED 10/01/2007 IN IA 6868/06 IN OS.641/2006 of PRL.MUNSIFF COURT,THRISSUR

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PETITIONER:

C.GOPINATH,S/O MANNATH BHASKARA MENON,
GOPI NIVAS,KOTTAPPURAM ROAD,THRISUR.

BY ADV. SRI.M.P.SREEKRISHNAN

RESPONDENTS:

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1. C.VIJAYAN,ITTIAMPURATH HOUSE,
KUTTENKULANGARA,THRISSUR.

2. PROF.M.MADHAVAN KUTTY,MANNATH HOUSE,
'SREEPADAM',SHORNUR ROAD,THRISSUR.

3. M.RAJENDRAN,KOOTHEDATH HOUSE,KAMATH LANE
KOTTAPURAM,THRISSUR.

4. T.M.GOPALAKRISHNAN,MANATH HOUSE,
THRISSUR.

5. T.BALAKRISHNAN,MANATH HOUSE,THRISSUR.

6. M.C.S.MENON,MOOTHEDATH HOUSE,PARAKOTE
LANE,PATTURIKAL,THRISUR.

7. KANAKAPILLY GOPINATHAN,KARTHIKA,
SIVA TEMPLE LANE,PUNKUNNAM, THRISSUR.

8. DEEPA MENON,VALATH HOUSE,THIRUVAMBADI,
THRISSUR.

9. T.GOPAKUMAR,DHANYA,PATTURIKAL,TRISSUR.

10. K.MADHAVAN,SEETHASADANAM,THIRUVAMBADI,
THRISSUR.

11. P.ACHUTH KUMAR,PULLATH HOUSE,
THIRUVAMBADI,THRISSUR.

12. DR.V.RAMANKUTTY,VALLATH HOUSE,
THIRUVAMBADY,THRISSUR.

13. K.VIJAYARAGHAVAN,KUNDUVARA HOUSE,
KUNNATH MANA LANE,THRISSUR.

14. M.AMBUJAKSHAN MENON,USHUS,KOTTAPURAM,
THRISSUR.

15. P.RADHAKRISHNAN,PULIAMKOTTU HOUSE,
POOTHOLE,THRISUR.

16. P.CHANDRASEKHARAN,SARITHA,
THIRUKUMARAKUDAM,THRISSUR.

17. P.VENUGOPALAN,MEGHNA,SANTHI NAGAR,
THRISSUR.

18. M.GOPALAKRISHNAN MENON,KARTHIKA,
PALLIYIL LAND,KOTTAPURAM,THRISSUR.

19. P.UNNIKRISHNA MENON,PULAI,MANAGAT LANE,
PUNKUNNAM,THRISSUR.

20. THIRUVAMBADI DEVASWOM,REPRESENTED BY ITS
PRESIDENT.

BY ADV. SRI.K.P.VIJAYAN
SRI.P.R.RAMACHANDRA MENON
SRI.V.M.SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Appendix

Petitioner's Exts:

The true copy of the plaint in OS 641/2006 is produced herewith and marked for reference as Exhibit P1.

The true copy of the said IA 1771/2006 is produced herewith and mark for reference as Exhibit P2.

The true copies of the IA No.5548/06 and IA 6868/06 are produced herewith and marked as Exhibit P3 and P4.

The true copies of the counter affidavits filed by the petitioner in IA 5548 and 6868/2006 are produced herewith and marked for reference as Exhibits P5 and P6.

The true copy of the common order passed in IA Nos.5548 and 6868/2006 is produced herewith and marked for reference as Exhibit P7.

Respondents' Exts:

Ext.R1(a) true copy of the written statement filed by the defendants (respondents herein) in OS 641/06 before the Munsiff's Court, Thrissur.

Ext.R1(b) true copy of the statement of objections filed by the respondents in IA 1771/06 in OS 641/06 before the Munsiff's Court, Thrissur.

Ext.R1(c) true copy of the Trust Deed dtd. 11.1.2007 registered as document No.18/IV/07 of the SRO Ayyanthole.

Ext.R1(d) true copy of the judgment dtd.15.1.07 passed by this Hon'ble Court in WP(C) 34249/06.

M.N.Krishnan, J.

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W.P(C).No.9090 of 2007

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Dated this the 18th day of October, 2007.

JUDGMENT

This Writ Petition is filed seeking to set aside Ext.P7 order passed in I.A.No.6868 of 2006 in O.S.No.641 of 2006. I heard learned counsel on both sides at length. I feel that no interference is necessary at this stage and therefore, I dispose of the Writ Petition with a direction to the trial court to dispose of the suit as expeditiously as possible within a time frame of six months untrammelled by the observations contained in its own order, which is under challenge in this Writ Petition.

M.N.Krishnan,
Judge.

ess 18/10